

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DONNA J. YANCEY

PLAINTIFF

v.

CAUSE NO. 1:14CV458-LG-RHW

**CAROLYN COLVIN,
Acting Commissioner of
Social Security**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes before the Court on the [18] Report and Recommendation of United States Magistrate Judge Robert H. Walker. On December 19, 2014, Plaintiff Donna J. Yancey, through counsel, filed a Complaint against Carolyn W. Colvin seeking judicial review of the decision to deny her Social Security disability insurance benefits, disabled widow's benefits, and supplemental security income. On September 21, 2015, Yancey filed a [14] Motion for Summary Judgment. After that Motion was fully briefed, Magistrate Judge Walker recommended that this Court deny the Motion for Summary Judgment and affirm the Commissioner's decision to deny benefits. (*See* Report and Rec. 13, ECF No. 18). Yancey has not objected to any aspect of the Magistrate Judge's Report and Recommendation, and the time for doing so has now expired.

Where no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings and recommendations to which

objection is made.”). In such cases, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *See, e.g., United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having conducted the required review, the Court is of the opinion that Magistrate Judge Walker’s Report and Recommendation is neither clearly erroneous nor contrary to law. Accordingly, the Court finds that the [18] Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the [18] Report and Recommendation of United States Magistrate Judge Robert H. Walker, should be, and hereby is, adopted as the opinion of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the [14] Motion for Summary Judgment filed by Plaintiff is **DENIED**, and the [1] Complaint filed by Plaintiff is **DISMISSED WITH PREJUDICE**. A separate judgment will be entered.

SO ORDERED AND ADJUDGED this the 7th day of June, 2016.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE